

Atty. Docket No.: B0410/7282D1

PATENT

3763

APR 07 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: John E. Ahern *et al.* Examiner: Catherine Serke Williams
Serial No.: 09/888,757 Group Art Unit: 3763
Filed: June 25, 2001 Conf. No.: 2885
Title: SYSTEMS AND METHODS FOR LOCAL DELIVERY OF AN AGENT

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

4-5-05

Date

Debra M. Hersh
Signature

Debra M. Hersh

Typed or Printed Name of Person Signing Certificate

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Transmitted herewith are the following documents.

1. Information Disclosure Statement, PTO Form 1449 and 1 cited reference
2. copy of EPO search report; and
3. Return postcard.

If the enclosed papers are considered incomplete, the Mail Room or other persons are respectfully requested to contact the undersigned collect at (617) 261-3100.

A check in the amount of \$----- is enclosed to cover the filing fee. If the fee is insufficient, the balance may be charged to Deposit Account No. 50-1721, Reference No. B0410/7282D1. A duplicate of this letter is enclosed for accounting purposes.

Respectfully submitted,

Joyce C. Hersh

Reg. No. 42,890

KIRKPATRICK & LOCKHART

NICHOLSON GRAHAM LLP

75 State Street

Boston, MA 02109-1808

Tel: 617-261-3100

Fax: 617-261-3175

Date:

April 5, 2005



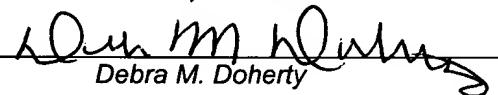
PATENT
ATTORNEY'S DOCKET NO.: B0410/7282D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John E. Ahern et al. Confirmation No.: 2885
Serial No.: 09/888,757
Filed: June 25, 2001
For: SYSTEMS AND METHODS FOR LOCAL DELIVERY OF AN AGENT
Examiner: Catherine Serke Williams
Art Unit: 3763

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on APRIL 5, 2005.


Debra M. Doherty

MAIL STOP AMENDMENT
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 C.F.R. §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the applicant requests consideration of this information disclosure statement.

Compliance with 37 C.F.R. §1.97

This information disclosure statement has been filed more than three months after the filing date of this application and after the mailing date of the first office action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a notice of allowance under 37 C.F.R. §1.311.

The applicant hereby certifies, as specified in 37 C.F.R. §1.97(e), that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart for this application not more than three months prior to the filing of this statement. No fee is required.

Information Cited

The applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the relative importance of the references. Applicants have omitted from this submission copies of the cited U.S. patents and U.S. patent application publications in accordance with the Office's waiver of the requirement under 37 CFR 1.98(a)(2)(i) for all U.S. national patent applications filed after June 30, 2003. See "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003," USPTO Pre-OG Notice, July 11, 2003.

Remarks

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

- The examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
- The enclosed form PTO-1449 be signed by the examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
- The citations for the information be printed on any patent which issues from this application.

By submitting this information disclosure statement, the applicant makes no

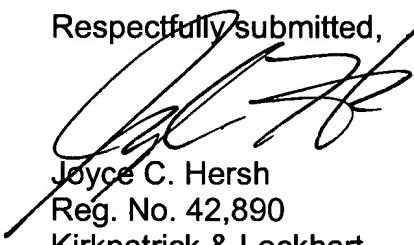
representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this information disclosure statement, the applicant makes no representation that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this information disclosure statement, the applicant makes no representation that the information cited in the statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

It is understood by applicant that the foregoing information will be considered and, to the extent deemed appropriate by the examiner, will be reflected in the examiner's communication.

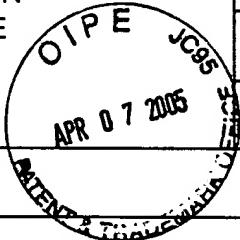
Respectfully submitted,



Joyce C. Hersh
Reg. No. 42,890
Kirkpatrick & Lockhart
Nicholson Graham LLP
75 State Street
Boston, Massachusetts 02109
Customer No.: 022832
Tel: (617) 261-3100
Attorneys for Applicant

Date: April 5, 2005

Form PTO-1449 INFORMATION DISCLOSURE STATEMENT	Docket No.: B0410/7282D1	Serial No.: 09/888,757
O I P E APR 07 2005 SOGS		
Applicant: John E. Ahern et al.		
Filed: June 25, 2001		Group: 3763



U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

FOREIGN PARENT DOCUMENTS						
Ex.	Doc. No.	Date	Name	Class	Subcl.	
	WO 93/21906	11/11/1993	Mathiowitz et al.			

OTHER DOCUMENTS (including, Author, Title, Date, Pages, Etc.)

OWNER DOCUMENTS (including, Author, Title, Date, Pages, Etc.)		

Examiner:	Date considered
-----------	-----------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. An * indicates references that do not require a copy to be provided under 37 C.F.R. §1.98(d) because a copy was previously cited or submitted in a prior application, which is relied upon under 35 U.S.C. §120.